HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 969 of 2006 (MS)

Mohan Lal son of Sri Khem Chand
R/o Ward No. 8, Sitarganj, District
Udham Singh Nagar ..... Petitioner

Versus

1. Sri Mukesh Kumar
2. Sri Suresh Kumar Both sons of Sri Jai Narayan
R/o Gurdwara road, Sitarganj, District Udham
Singh Nagar ..... Respondents

Sri Bhupendra Singh, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 26.7.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Bhupendra Singh counsel for the petitioner and Standing Counsel for the respondents.

By the present writ petition, the petitioner has prayed a writ of mandamus directing the Prescribed Authority, Khatima to decide the Case No. 1 of 2003 under section 21 of the Act No. 13 of 1972 expeditiously.

Briefly stated the petitioner has field an application under section 21 of Act No. 13 of 1972 before the Prescribed Authority/ Civil Judge, Khatima, which was registered as Suit No. 1 of 2003. The grievance of the petitioner is that the case is pending since 2003 and after the lapse of three years it has not been decided.

It has been provided under Rule 15 (1) of U.P. Act No. 13 of 1972, that every application referred to in sub Rule (1) of Rule

15 shall, as far as possible be decided within two months from the date of its presentation.

In view of above, the Prescribed Authority, Khatima is directed to decide the Case No. 1 of 2003 within four months after obtaining the certified copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

Dated: 26.7.2006 **Rajesh Tandon, J.**

*Dhyani